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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. | |
|-----------------|--------------------|----------------------|---------------------|------------------|--|
| 09/770,116 | 01/24/2001 | Jiwen F. Duan | DP6905 US NA | 2639 | |
| 23906 | 7590 09/22/2004 | | EXAMINER | | |
| E I DU PON | NT DE NEMOURS AN | HARLAN, F | HARLAN, ROBERT D | | |
| LEGAL PAT | TENT RECORDS CENTE | ER | | | |
| BARLEY M | ILL PLAZA 25/1128 | | ART UNIT | PAPER NUMBER | |
| 4417 LANCA | ASTER PIKE | | 1713 | | |
| WILMINGT | ON, DE 19805 | | | | |

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| Application No. Applicanties Out.N., Jilken F. | <u>K</u> | | | | | | | |
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| Examiner Robert D. Hartan 1713 | | Application No. | Applicant(s) | 7 | | | | |
| Robert D. Harlan 1713 17 | Office Action Summary | 09/770,116 | DUAN, JIWEN F | | | | | |
| The MALING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION. Photosofts of the mary is a residuous duris the procession of 37 CFR 1.13(d). In collection of the mary is a residuous duris the processor of the mary is a residuous duris the processor of the mary is a residuous duris the processor of the mary of the product of the product of the processor of the product of the p | Office Action Summary | Examiner | Art Unit | | | | | |
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| 1) Responsive to communication(s) filed on 06 July 2004. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-27 is/are pending in the application. 4a) Of the above claim(s) 16-27 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.95(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * O None of: 1 Certified copies of the priority documents have been received. 2 Certified copies of the priority documents have been received in Application No. 3 Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17 2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) All Notice of Dratsperssons Patent Drawing Review (P1O-948) Notice of Informal Patent Application (PTO-152) | THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above, is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period was a failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing | 86(a). In no event, however, may a within the statutory minimum of thir if apply and will expire SIX (6) MON cause the application to become Al | reply be timely filed ty (30) days will be considered time THS from the mailing date of this of BANDONED. (35 U.S.C. & 133) | ty. communication. | | | | |
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Art Unit: 1713

DETAILED ACTION

Election/Restrictions

- 1. Applicant's election with traverse of claims 1-17 in the reply filed on 07/06/04 is acknowledged. The traversal is on the ground(s) that the two restricted invention are not independent and patentable distinct. This is not found persuasive because the process claims introduce more limitations.
- 2. The requirement is still deemed proper and is therefore made FINAL.
- 3. This application contains claims 18-27 drawn to an invention nonelected with traverse. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

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- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 5. Claims 1-17 are rejected under 35 U.S.C. 102(a) as being anticipated by Kato et al., EP 1 016 741 Al. See Example 1.
- 6. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Ridland et al., WO 99/28033. See Examples 1 & 3.

Conclusion

- 7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert D. Harlan whose telephone number is (571) 272-1102. The examiner can normally be reached on Mon-Fri, 10 AM 8 PM.
 - 8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David W. Wu can be reached on (571) 273-1114. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1713

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert D. Harlan Primary Examiner Art Unit 1713

rdh